

March 24, 2005

Civil Division – Kent County (739-7641)

The Honorable Kent A. Jordan
United States District Judge
United States Courthouse
844 King Street, Room 4209
Wilmington, DE 19801

Re: Neefe v. Layfield et al.
C.A. No. 04-366-KAJ

Dear Judge Jordan:

Enclosed is a proposed Rule 16 Scheduling Order agreed to by counsel last November. I believe that I sent a copy of the Order under cover of letter dated December 7, 2005, but in checking the Docket Sheet yesterday I learned that it was never received by the Court. To avoid any further delay in the case, the State is willing to abide by the original discovery cut-off of April 30, 2005. Mr. Gill has already contacted me about deposing Sergeant Layfield in April, and we can schedule plaintiff's deposition at around the same time and exchange any documents requested. I do not anticipate much more in the way of discovery.

Please advise when the Court would like to schedule a teleconference to fill in the status conference, pre-trial conference, and trial dates.

Very truly yours,

W. Michael Tupman
Deputy Attorney General

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cc: Edward C. Gill, Esquire

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